FILED

| ı | In the United States District Court | | U.S. DISTRICT COURT DISTRICT OF HEBRASKA |
|------------------------------|-------------------------------------|----------------------|---|
| FOR THE DISTRICT OF NEBRASKA | | 2005 APR 18 PM 2: 16 | |
| UNITED STATES OF AMERICA, | | } | OFFICE OF THE CLERK |
| | Plaintiff, | \ | |
| v. | | Case No. 4:040 | CR3036 |
| BILL LEE SMITH, | | { | |
| | Defendant. |) | |
| ORDER | | | |

THIS MATTER comes before the Court on defendant's Request to File Motion Under Seal, filing _____. The Court, being fully advised in the premises, finds that said Motion should be granted.

IT IS THEREFORE ORDERED that, pursuant to NECrimR 49.3(c) and (d), the Clerk shall file defendant's Ex Parte Motion for Issuance of Subpoenas *In Forma Pauperis* and the supporting Affidavit under seal. The Clerk is further ordered to provide a copy of the subpoena sought by the defendant to the Federal Defender's Office for service

DATED this <u>/</u>8 day of April, 2005.

BY THE COURT:

The Honorable David L. Piester United States Magistrate Judge